

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN

&

THE HONOURABLE MR. JUSTICE V.K.MOHANAN

MONDAY, THE 22ND OCTOBER 2007 / 30TH ASWINA 1929

WP(Crl.).No. 246 of 2007(S)

PETITIONER:

1. THAMPI, AGED 41 YEARS, S/O KUNJIPAILO,
ARNIKKAL HOUSE, ARIPALAM DESOM, POOMANGALAM
VILLAGE, MUKUNDAPURAM TALUK.

BY ADV. SRI RAJESH CHAKYAT

RESPONDENTS:

1. THE SUB INSPECTOR OF POLICE,
KUTTOOR POLICE STATION, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.
2. THE CIRCLE INSCEPTOR OF POLICE,
IRINJALAKUDA.
3. VARGHESE, AGED 33 YEARS, S/O CHERIYA,
MANGALATH HOUSE, ARIPALAM DESOM, POOMANGALAM
VILLAGE, MUKUNDAPURAM TALUK.
4. BABU, AGED 55 YEARS, C/O CHERIYA,
MANGALATH HOUSE, ARIPALAM DESOM,
POOMANGALAM VILLAGE MUKUNDAPURAM TALUK.
5. PRAKASH (PASTER), S/O JOHN, ASSEMBLY
OF GOD, AG PRARTHANALAYAM, ARIPALAM,
MUKUNDAPURAM TALUK.

R1 & R2 BY GOVT.PLEADER SRI THOMAS JOHN AMBOOKEN

THIS WRIT PETITION (CRIMINAL) HAVING BEEN FINALLY HEARD
ON 22/10/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

W.P. (CRL) .NO.246/07

APPENDIX

PETITIONER'S EXTS:

EXT.P1 TRUE COPY OF THE COMPLAINT FILD BY THE PETITIONER
 BEFORE THE IST RESPONDENT DTD 17/5/2007.

EXT.P2 TRUE COPY OF THE COMPLAINT DTD. 21/5/2007 FILED BY
 THE PETITIONER BEFORE THE 2ND RESPONDENT.

P.R.RAMAN & V.K.MOHANAN, JJ.

W.P. (Cr1) NO.246 OF 2007

Dated this the 22nd day of October, 2007

JUDGMENT

Raman, J.

This habeas corpus petition is filed by the petitioner-husband alleging that his wife, Thankamani, D/o.Cheriya, is under the illegal custody of the party respondents. Pursuant to the notice issued, respondents 1 and 2 produced the alleged detenu. We interacted with her and she stated that she left the house because of the harassment meted out by her husband, that she is not under the illegal custody of anybody as alleged, that she admitted her child in the Shalom Children Home, which is an orphanage for children, and that the child is being given proper Education. She is also doing menial jobs in the said institution for making her livelihood.

In the circumstances, we do not find that she is under the illegal custody as alleged. Accordingly, this writ petition is closed.

**P.R.RAMAN,
Judge.**

**V.K.MOHANAN,
Judge.**

kcv.